

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525
MINUTES
VILLAGE OF INDIAN HEAD PARK
PLANNING AND ZONING COMMISSION
PUBLIC HEARING**

"Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken."

Tuesday, December 2, 2014

7:30 P.M.

CALL TO ORDER – CHAIRMAN DENNIS SCHERMERHORN

A public hearing was hosted by the Village of Indian Head Park Planning and Zoning Commission on Tuesday, December 2, 2014, at the Municipal Facility, 201 Acacia Drive, for a second continuance from the October 7, 2014, and November 11, 2014 meetings to consider a zoning petition for the property located at 6506 Wolf Road. Zoning Petition #183 was submitted to the Commission by owner, Kathleen Weger, who is present this evening, along with Meghan Knox, renter and prospective buyer. The meeting was convened at 7:30 p.m. by Chairman Dennis Schermerhorn.

ROLL CALL: PRESENT (AND CONSTITUTING A QUORUM):

Chairman Dennis Schermerhorn
Commissioner Noreen Costelloe
Commissioner Timothy Kyzivat
Commissioner Earl O'Malley
Commissioner Robert Tantillo

ABSENT:

Commissioner Diane Andrews
Commissioner Jack Yelnick

ALSO IN ATTENDANCE:

Village Trustee Amy Jo Wittenberg
Village Trustee Tom Hinshaw

PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Dennis Schermerhorn and the Planning and Zoning Commission members recited the Pledge of Allegiance to the Flag as follows: ***"I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all"***.

ZONING AGENDA ITEM: (discussion and a possible vote may take place)

1). Zoning Petition #183 – Second Continuance of the Public hearing held before the Village of Indian Head Park Planning and Zoning Commission on October 7, 2014, and November 11, 2014 to consider a Front Variance and a Special Use to allow for the installation of a safety gate at 6506 Wolf Road.

Chairman Schermerhorn began by noting that the first item on the agenda is a Continuance from the October 7, and November 11, 2014 meetings regarding a security gate at 6506 Wolf Road that was installed without a building permit. The Petitioner is seeking a variance to keep the gate for safety concerns and to keep strangers from parking on the driveway. This was originally brought to the Planning and Zoning Commission on October 7, 2014, and was granted a continuance in order for the Petitioner to provide further information. The Petitioner has submitted the requested information which includes letters of approval from the Police and Fire Departments, and a survey indicating where the pillars that support the gate are located.

Chairman Schermerhorn stated that the updated survey indicates the pillars do lie within the petitioner's property lines. Chairman Schermerhorn stated that the Planning and Zoning Commission may now resume the public hearing for Petition #183, and further explained the process. The owner and petitioner Ms. Weger, explained that her family resides at the property and were not aware that the gate would need a variance. Ms. Weger added that she knew of the prohibition of fences in the Village, but was unaware of the prohibition of gates.

QUESTIONS AND OR COMMENTS FROM THE AUDIENCE:

Ms. Karen Bartell from 24 Sauk Trail asked whether or not the pillars holding the gate have to conform to the setback standards. Chairman Schermerhorn replied that per Ordinance, they also have to conform since they are a structure, thus they are part of the variance. Ms. Weger informed the Planning and Zoning Commissioners that the pillars were on the property prior to her purchasing the property in 2004.

Ms. Rita Farrell, attorney representing the Chao Family from 6510 Wolf Road, passed out a letter to the Commission and read aloud from the letter. Ms. Farrell stated that Mr. and Mrs. Sherman Chao object to the granting of a variance to allow for the special use of the safety gate, which has been installed on the property at 6506 Wolf Road to remain. Sherman and Margaret Chao ask that the variance and special use as requested in Petition #183 be denied.

Chairman Schermerhorn requested that the petitioner's renter, Ms. Knox elaborate as to how many times she has felt anxious over a strange car in her driveway. Ms. Knox described an occurrence where a stranger drove all the way up her drive way and idled, which made her nervous.

A discussion ensued among the Planning and Zoning Commissioners regarding the possible precedence that may be set if a variance is granted.

Chairman Schermerhorn stated since they have been made aware the pillar structures holding the gate were there previous to petitioner Ms. Weger purchasing the property, he believes the variance should pertain to the gate only. The petitioner states that this gate is for their safety, and cited there were several instances where they say their safety was threatened.

A discussion ensued among the Planning and Zoning Commission. Chairman Schermerhorn began by reiterating the findings of fact, and the Commissioners commented as they reviewed the facts in order to determine if they would make a recommendation to the Village Board of Trustees to consider a Special Use to allow for the safety gate at 6506 Wolf Road. In conclusion, it was determined that the Commission's review of the findings of fact were not in favor of the Variance for Petition #183.

Chairman Schermerhorn entertained a motion to send The Village Board of Trustees a report noting it is the Planning and Zoning Commission's opinion that the finding of facts does not support a positive recommendation for a variance for petition#183 that would grant a special use to allow a safety gate at 6506 Wolf Road. Motion carried by voice vote (4-0-2)

Chairman Schermerhorn thanked the petitioner Ms. Weger for her time.

QUESTIONS AND OR COMMENTS FROM THE AUDIENCE:

Mr. Mohansen Javadi, of 6543 Blackhawk Trail ensued in a discussion with the Commission in regard to the survey of his property at 6540 Blackhawk Trail which was on the November 11, 2014 Planning and Zoning Agenda as a workshop.

APPROVAL OF BOARD MINUTES:

Minutes of the Planning and Zoning Public Hearing Meeting-November 11, 2014

Chairman Schermerhorn noted a correction to page four of the minutes to the line: *The Commission suggested a forum workshop*, should be, *The Commission suggested a workshop forum*.

Commissioner Costelloe suggested that on page four, line two: *the name Mo Javadi*, should be, *Mohansen Jovadi*. *Recording Secretary confirmed that the last name of Javadi was spelled correctly*.

Chairman Schermerhorn noted that on page four, the line starting with *Lee Austin, a civil engineer with that evening*, should be, *Lee Austin, a Civil Engineer with him that evening*.

Chairman Schermerhorn suggested a correction on page six, paragraph one, line three: *situate the houses on the property might concur more variances of other ordinance restrictions*, should read, *situate the houses on the property might require more variances of other ordinance restrictions*.

After review of the Planning and Zoning minutes, Commissioner Costelloe moved, seconded by Commissioner O'Malley, to approve the November 11, 2014 Planning and Zoning Public Hearing meeting minutes as amended. Motion carried by voice vote (4-0-2).

ADJOURNMENT

There being no further business to discuss, Commissioner O'Malley moved, seconded by Commissioner Kyzivat, to adjourn the Planning and Zoning Commission Public Hearing Continuance meeting at 8:35 p.m. Motion carried by voice vote. (4-0-2).

Minutes prepared and submitted by,
Mary Crowley, Recording Secretary
Planning and Zoning Commission

P/Z Minutes
12/2/2014